

MINUTES  
ZONING COMMISSION  
SEPTEMBER 7, 2005 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Hudecek, Brandt, Haviland, O'Neill and Marquardt  
Staff: Goodrich, Chambers

The Chairman opened the meeting at 7:04 p.m.

The Chairman appointed Marquardt to sit for the vacant position.

II. PUBLIC HEARING

1. Special Permit #287, Precious Memories, 195 Sandy hollow Road - continued

Ed Wenke, Engineer representing the applicant stated that the site is located on the corner of Allyn Street and Sandy Hollow Road. The property totals 2.57 acres, is zoned RS-20 and is not located in a CAM zone. The site currently has two buildings on it that were permitted by previous special permits. Building #1 is currently 3180 sq. ft. has 54 children and 10 employees and is 1½ stories. Building #2 is in the rear of the site has 30 children, 8 employees and has 2800 sq. ft. At least two special permits have been approved for this #224 in 1998 for building #1 and #253 in 2002 for building #2. Special Permit #253 was modified in 2002 to increase the capacity for teachers and children in building #2. The totals right now are 84 children, 18 employees and 32 parking spaces. The main access to the site is from Sandy Hollow Road. The site has on site well and septic. The applicant would like to expand building #1 to 1450 sq. ft. The use would remain the same but the occupancy would increase from 54 to 86 children. The employees would increase from 10 to 12 employees. In addition, the parking area would be expanded by 9 spaces for a total of 32. The existing play area would be expanded to 6800 sq. ft. Building #2 would house 40 children and 12 employees but there would not be any physical change to the building. The parking would increase from 13 to 16 spaces. The total site occupancy is going up from 84 children to 126 children, from 18 employees to 24 employees, and total site parking would be expanded from 34 to 48 spaces.

Mr. Wenke explained that the expansion is towards Allyn Street and away from the residential area. The applicant is proposing additional buffer area with screening. He stated that the proposal is in harmony with the area. There will not be any additional curb cuts or additional lighting. This proposal is in a location that already has professional uses on three of the four corners. The size and architectural character of the building is similar to residential size homes in the area. There are no adverse environmental impacts from the proposal.

Scott Hesketh, Traffic Engineer discussed traffic at the site and surrounding intersections. He conducted new traffic counts due to a request from staff and found that the increase in use will result in approximately 30 more trips during each peak hour, which equates to 1 vehicle every 2 – 3 minutes. The level of service of the intersection remains the same. Most traffic movements operate well except for a 36 – 40 second delay on the eastbound approach on Sandy Hollow Road.

Haviland asked if there was a master plan for further expansion. Mr. Wenke stated that the plan presented is the max build out of the site. Hudecek asked if it would be possible to stagger arrival and pick up times. Christine Eckersley defined the

operation and timing of arrivals and explained that arrivals and departures occur based on the needs of the clients.

Staff reviewed the ages of the children in each building. Staff reviewed the harmony issue. Staff stated that the existing landscaped buffer includes trees that are dying. The Town is holding a bond and will work with the applicant to replace the dying trees with hardier stock. Staff reviewed traffic volume and turns and stated that staff's traffic counts support the applicant's traffic study. Staff stated that the mailings were done correctly.

Staff stated that the following letters were received and distributed to the Commission:

Nancy Steenburg, Pequot Avenue – opposing  
Eben Duerr, Sandy Hollow Road – supporting  
Mark & Margaret Sullivan, Pequot Avenue – opposing  
Chris & Jennifer Zingus, Noank Road, Mystic – supporting  
Melissa, Chiappone, Uncasville, CT – supporting  
Sherry Freeman, Oxford Court – supporting  
Christopher Clarkin, Mystic River Ambulance – supporting  
Tonya Coburn, 770 Buddington Road – supporting

Staff distributed copies of letters received after the agenda packets were distributed. Chairman Hudecek asked if there was anyone who would like to speak in favor of the application.

Mary Beth Jordan, 53 Hilltop Road, Mystic spoke to the quality of the center and the value of the service to working parents.

Julie Shafer, 22 Briarwood, Quaker Hill, Waterford stated that she works for the medical group located in a nearby building. Initially, the medical group was concerned about the daycare and impact on parking and the area. However, they have seen no traffic or parking problems. She supports this expansion.

Joe Mastronunzio, Brom Builders is building a house in the area and supports the design of the expansion away from the residential area on Oxford Court. He questioned what buffers are proposed between the site and the new residential lot on Oxford Court.

Chairman Hudecek asked if anyone would like to speak against this proposal.

Nancy Steenburg, 493 Pequot Avenue believes this is an intensification, which is not appropriate in this area. She reviewed statements made in a previous meeting that stated they would not be able to add to the building or add parking spaces. She also addressed concern with the size and dying landscaped buffers. She believes that the medical building is a pre-existing non-conforming use.

Staff stated that the Plan of Conservation and Development supports the location of daycare centers on arterial or cluster roads and located at the edge of neighborhoods.

Ed Wenke stated that the original permit addressed the buffers between the site and Oxford Court by putting a 6' high fence on top of the graded embankment. He stated that they would work with the adjacent property owners to enhance the landscaping there.

Hudecek asked about buses at the site. Ms. Eckersley stated that originally she had stated there would be buses three times a day. They now have four buses a day stopping at the end of the driveway. The site is located on the existing bus route.

Rich Cody, Attorney, responded to public comments by reviewing the history of the applications. He reviewed the current support of neighbors that were initially opposed to the project and are now supportive.

Staff stated that the Special Permit is #287 not #286 as stated on the agenda.

The public hearing was closed at 8:05 p.m.

2. Zoning Regulation Amendment to Sections 7.3-7 Requirement for Signs in Non Residential Districts; New Section 7.3-10 Special Large Commercial Building Signage Provisions, Town of Groton, applicant

Chairman Hudecek reopened the hearing at 8:05 p.m.

Staff passed out the latest version of the sign regulation and reviewed the changes. Staff stated that #2 under Building Requirements was deleted because staff could not support tying the number of entrances to signage. Staff addressed the Stop and Shop proposal. Staff does not support the proposal because it would require a new public hearing, the signs shouldn't be the only way to breakup a façade, the higher number of signs could contribute to sign clutter, and exempting subtenant signs is too close to regulating content, which is not legal.

Staff read a memo from the Planning Commission, which had the following comments:

1. It was the consensus of the Planning Commission that while they were in support of the overall intent of the regulation amendment to allow additional numbers and square feet of wall signs for large commercial buildings, they were not in favor of increasing the number of wall signs to 8, as proposed, or allowing any secondary signs. Instead the Commission recommends that the amendment be modified as follows:
  - A maximum of 2 primary signs per building frontage
  - No secondary signs allowed.
  - For the primary building frontage, the maximum of any one sign shall be 400 square feet and maximum of the combined square feet of all signs should not exceed 400 square feet.
2. The Commission supports the proposed regulation amendment to the sign table that allows an increase in the number of wall signs from 1 to 2 for other businesses not meeting the definition of "Special Large Commercial Buildings" but would not support any increase to the maximum allowed square feet of wall signs for those businesses.

Staff read a letter from Mike Carey, Town Attorney that stated he had reviewed the amendments and has found them to be satisfactory. There were no comments from the public and the public hearing was closed at 8:20 p.m.

III. APPROVAL OF THE MINUTES OF August 3, 2005

MOTION: To approve the minutes of August 3, 2005 as written.

Motion made by Haviland, seconded by O'Neill, so voted unanimously.

IV. PUBLIC COMMUNICATIONS

Staff distributed a letter from the STC regarding Great Brook Subdivision, the SCCOG newsletter, and a memo from SCCOG.

V. CONSIDERATION OF PUBLIC HEARINGS

1. Special Permit #287, 195 Sandy Hollow Road, (Precious Memories Preschool/Eckersley & Bohonowicz, Applicants)

Haviland stated that this expansion pushes the limit of this site and feels that maxing out the site does not meet the harmony test. He is concerned with the outstanding issue with landscaped buffers. He believes the expansion adds too much traffic. He does not feel that non-Groton resident's comments are important and that the Commission should be concerned with how the application impacts the neighborhood. Discussion ensued on the requirements to add a traffic light. O'Neill reviewed the history of the site and feels the gradual growth of the daycare makes the center work in this location and does not believe that the impact on the neighborhood has been negative. O'Neill believes this does not prevent orderly development nor has any environmental impacts. Marquardt felt the traffic impact would be minimal. Hudecek does not feel the higher traffic figures would have a significant negative impact on the area. General discussion on scenic road designation of Sandy Hollow Road followed. Hudecek read the amended findings into the record.

MOTION: To approve Special Permit #287, Precious Memories Preschool and Daycare, 195 Sandy Hollow Road, allowing the construction of a building addition to Building #1, an increase of parking to 48 spaces on the site, an increase to the occupancy of Building #1 to 12 employees and 86 children, and an increase to the occupancy of Building #2 to 12 employees and 40 children with the following condition that

- 1.) Existing, dying buffer plantings located in the existing buffer area adjacent to the residential lots on the eastern side of the Precious Memories property shall be replaced with plantings that are more suitable in that location

Findings:

The Commission notes that the project meets the objectives of Section 8.3 of the Zoning Regulations for the following reasons:

- A. The proposed location is at the intersection of an arterial and collector road at the edge of the neighborhood, thus being consistent with the Plan of Conservation and Development.
- B. The increase in vehicle trips and accompanying traffic distribution should not decrease the level of service at surrounding intersections.

- C. There are no sensitive resource areas on or adjacent to the site and all requirements of the Health District have been met.

Motion made by Haviland, seconded by O'Neill, 4 in favor, 1 against (Haviland).

2. Zoning Regulation Amendment to Sections 7.3-7 Requirement for Signs in Non Residential Districts; New Section 7.3-10 Special Large Commercial Building Signage Provisions, Town of Groton, applicant

MOTION: To adopt new subsection 7.3-10 to Section 7.3 Sign Regulations, text amendments to Section 7.3-7 Requirements for Signs in Non-Residential Districts and text amendments to Notations for 7.3-7 Requirements for Signs in Non-Residential Districts to provide information about multiple services and the Zoning Regulations as proposed in amendments dated September 7, 2005.

Said amendments to be effective upon publication.

The Commission finds that the amendments to Zoning Regulation Section 7.3 accomplish the following:

1. The amendments are consistent with the 2002 Plan of Conservation and Development, which encourage coordinated signage.
2. The amendments encourage the effective but restrained use of signs to break up large expanses of vertical and horizontal building facades.

- VI. Motion made by Hudecek, seconded by Haviland, so voted unanimously.  
NEW BUSINESS

Haviland requested a report or summary from the Zoning Official.

- VII. REPORT OF CHAIRMAN - None

- VIII. REPORT OF STAFF - None

- IX. ADJOURNMENT

Motion to adjourn at 8:57 p.m. made by Hudecek, seconded by Haviland, so voted unanimously.

Respectfully submitted,

Robert O'Neill